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REQUEST FORM FOR CONTINUING APPLICATION
UNDER 37 C.F.R. 1.60

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

THIS APPLICATION:

DOCKET NUMBER

FILING DATE

PRIOR APPLICATION:

EXAMINER

ART UNIT

5023/P58317A

December 19, 1995

N. Nutter

1207

Address to:

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

This is a request for filing a **divisional** application under 37 C.F.R. 1.60 of pending prior application Serial No. 08/291,434, filed August 16, 1994, of Jim APPINO, and Jean-Marc AIACHE for **DEVICE FOR DISPENSING A THERAPEUTIC OR COSMETIC SUBSTANCE, THE INERT VEHICLE OF WHICH IS A VOLATILE POLYDIORGANOSILOXANE, AND COMPOSITION INTENDED TO BE USED IN THE DEVICE.**

- X 1. Accompanying this order is a verified true copy of the prior application as originally filed.
2. Please prepare a copy of the prior application.
3. Cancel original claims .
- X 4. The filing fee is calculated below:

CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT

Basic Fee		\$375		\$750
Total Claims	18 - 20 = 0	x 11 = \$	x 22 = \$	
Ind. Claims	2 - 3 = 0	x 39 = \$	x 78 = \$	
<u> </u> Multiple Dependent Claims		+125 = \$	+ 250 = \$	
		Total \$	Total \$	\$750

- _____ 5. Please charge my Deposit Account No. 06-1358 in the amount of \$_____. A duplicate of this sheet is enclosed.
- X 6. A check in the amount of \$750.00 to cover the filing fee is enclosed.
- X 7. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.
- X Any additional filing fees required under 37 C.F.R. 1.16.
- X Any patent application processing fees under 37 C.F.R. 1.17.
- X 8. The Commissioner is hereby authorized to charge payment of the following fees during pendency of this application or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.
- X Any patent application processing fees under 37 C.F.R. 1.17.
- X Any filing fees under 37 C.F.R. 1.16 for presentation of extra claims.
- X 9. Amend the specification by inserting before the first line the sentence:
--This is a **divisional** of application
Serial No. **08/291,434**, filed **August 16, 1994**.--
- _____ 10. A verified statement of small entity status was filed on _____, in the prior application and status as a small entity is still proper and desired.
- _____ 11. Transfer the drawings from the prior application to this application and abandon the prior application as of the

filing date accorded this application.
Copies of the drawings to be transferred are
attached to a duplicate of this order.

- _____ 12. New formal drawings are being filed
herewith, consisting of _____ sheets(s),
depicting Figures _____.
- X 13. Priority of Application No(s).
93 10075, filed August 18, 1993 in France, is hereby
claimed under 35 U.S.C. 119.
- X 14. Certified copy of said priority document
was filed in the U.S. PTO on August 16,
1994.
- X 15. The prior application is assigned to
Laboratoires Cilag
- X 16. The power of attorney in the prior
application is to at least the following:

William E. Player, 31,409.

The associate power of attorney in the present
application is to at least the following:

Harvey B. Jacobson, Jr., 20,851; D.
Douglas Price, 24,514; John Clarke
Holman, 22,769; Marvin R. Stern, 20,640;
Michael R. Slobasky, 26,421; Jonathan L.
Scherer, 29,851; and William E. Player,
31,409.

- _____ a. The power appears in the original
application papers in the prior application.
- X b. Since the power does not appear in the
original application papers, a copy of the
power in the prior application is enclosed.
- _____ c. Attached is a duplicate of a Supplemental
Declaration which was filed in the prior
application to overcome informalities.
- X d. Address all future correspondence to:
JACOBSON, PRICE, HOLMAN & STERN
The Jenifer Building
400 Seventh Street, N.W.
Washington, D.C. 20004-2201

- X 17. Form PTO-1449 and PTO-892 listing prior art made of record in the prior application is attached. A copy of each of the listed references should be available in the prior application file.
- X 18. Also enclosed: Preliminary Amendment
- X 19. I hereby verify that the accompanying application papers are a true copy of prior application Serial No. 08/291,434 as originally filed on August 16, 1994.


The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

JACOBSON, PRICE, HOLMAN & STERN

400 7th Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666
Docket: 5023/P58317A
Dated: December 19, 1995
WEP/ccm

By


William E. Player
Reg. No. 31,409